

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA**

In re:

EDITH M. CHEW,

:

CHAPTER 13

Debtor

:

BANKRUPTCY NO. 20-12591

**ORDER SUR MOTION OF NEW REZ, LLC (“NR”) FOR RELIEF FROM THE
AUTOMATIC STAY**

AND NOW, this day of February, 2021, upon consideration of the
Motion of the NR for Relief from the Automatic Stay, and the Answer of the
Debtor thereto, it is hereby ORDERED that the above-referenced Motion is
DENIED.

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In re:

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CHAPTER 13

Debtor

: **BANKRUPTCY NO. 20-12591**

**ANSWER OF DEBTOR TO MOTION OF NEW REZ, LLC (“NR”) FOR RELIEF FROM
THE AUTOMATIC STAY, WITH AFFIRMATIVE DEFENSES**

1. The allegations of paragraphs 2 ,4, and 5 of the Motion are admitted.
2. All other allegations of the Motion are denied. Strict proof of same is demanded at any hearing, if relevant.

AFFIRMATIVE DEFENSES

3. Despite the recitations in this pleading, it is believed that the Debtor’s present alleged mortgagee is New Rez, LLC (“NR”), and that Shellpoint Mortgage Services is a servicer of the mortgage for NR.

4. The documents attached to the Motion are a Note and Mortgage of January 17, 2002, among Weichert Financial Services (“Weichert”), the Debtor, and her mother, and an Assignment from Weichert to New Penn Financial, LLC (“New Penn”) .

5. There is no explanation in the Motion or the documents attached thereto describing why or how the Movant (NR) obtained any rights to enforce this contract, as opposed to New Penn. As a result, NR lacks standing to prosecute this Motion.

5. The Debtor remitted payments to NR in November, 2020, and January, 2021, and will cure the two remaining payment delinquencies on or about January 31, 2021, at which point she will be current on her post-petition payments, and the Motion should be

withdrawn.

WHEREFORE, the Debtor requests that this court will dismiss or deny the Motion.

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/s/DAVID A. SCHOLL

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Attorney for Debtor

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